

REMARKS

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action provided, and for the acknowledgment of Applicants' Claim for Priority and receipt of the certified copy of the priority document in the Official Action.

Upon entry of the above amendments the specification and claim 4 will have been amended. Claims 1-7 are currently pending. The Examiner has withdrawn claims 1-3 and 5-7 from consideration. Applicants respectfully request reconsideration of the outstanding rejections, and allowance of all the claims pending in the present application.

On page 2 of the Official Action, claim 4 was rejected under 35 U.S.C. § 102(b) as being anticipated by SNODGRASS et al. (U.S. Patent No. 5,167,837).

Applicants respectfully traverse the rejection of claim 4 under 35 U.S.C. § 102(b).

Claim 4 as currently amended recites, inter alia, “the discharge pressure regulating device includes an actuator and a diaphragm which is engaged by said actuator and which transforms under influence of said actuator and increases and decreases capacity inside said pressurized chamber.”

Applicants submit that SNODGRASS et al. lacks any disclose of a discharge pressure regulating device which includes *a diaphragm which is engaged by an actuator*, as recited in claim 4. In this regard, Applicants note that the diaphragm 126 in SNODGRASS et al. is not *engaged* by an actuator. Accordingly, Applicants submit that the rejection under 35 U.S.C. § 102(b) is improper at least for this reason.

Claim 4 as currently amended recites, inter alia, “a discharge pressure regulating device for regulating a discharge pressure of said viscous material by increasing and decreasing a capacity of said pressurized chamber when said viscous material inside said pressurized chamber is pressurized and discharged”.

Applicants submit that SNODGRASS et al. lacks any disclose of a *discharge pressure regulating device which regulates a discharge pressure of viscous material*. In this regard, Applicants submit that the structure noted by the Examiner (i.e., incremental advancement means 90) is not a *discharge pressure regulating device*, but is merely a discharge regulating device (i.e., although means 90 regulates *discharge* of the material, it does not regulate the *pressure* of the discharged material). Accordingly, Applicants submit that the structure of SNODGRASS et al. can not reasonably be characterized as a discharge pressure regulating device. Accordingly, Applicants submit that the rejection under 35 U.S.C. § 102(b) is improper at least for this reason.

Applicants respectfully submit that the rejection of claim 4 under 35 U.S.C. § 102(b) based on SNODGRASS et al. is improper at least for each and certainly for all of the above-noted reasons. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 102(b), and an early indication of the allowance of this claim.

SUMMARY AND CONCLUSION

Entry and consideration of the present amendment, reconsideration of the outstanding Official Action, and allowance of the present application and all of the claims therein are respectfully requested and now believed to be appropriate.

Applicants have made a sincere effort to place the present application in condition for allowance and believe that they have now done so.

Any amendments to the claims that have been made in this amendment, which do not narrow the scope of the claims, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered cosmetic in nature, and to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions or comments, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,  
Toshinori MIMURA et al.



Bruce H. Bernstein  
Reg. No. 29,027

Daniel B. Moon  
Reg. No. 48,214

February 7, 2006  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 Roland Clarke Place  
Reston, VA 20191  
(703) 716-1191